

**SUPREME COURT MINUTES
WEDNESDAY, NOVEMBER 20, 2002
SAN FRANCISCO, CALIFORNIA**

S110662

SOUTHERN CALIFORNIA EDISON CO v.
LYNCH et al. (UTILITY REFORM NETWORK)
Request for certification accepted

The certified questions, as accepted, are as follows:

(1) As restated by this court (Cal. Rules of Court, rule 29.5(g)): "Did the Commissioners of the California Public Utilities Commission have the authority to propose the stipulated judgment in light of the provisions of Assembly Bill No. 1890 (Act of Sept. 23, 1996, 1996 Cal. Legis. Serv. 854, codified in Cal. Pub. Util. Code §§ 330-398.5)?"

(2) "Do the procedures employed in entering the stipulated judgment violate the Bagley-Keene Open Meeting Act, Cal. Gov't Code §§ 11120-11132.5?"

(3) "Does the stipulated judgment violate § 454 of the Public Utilities Code by altering utility rates without a public hearing and the issuance of findings?"

The motion by Southern California Edison Company (SCE) for shortened time for briefing is denied. The briefing shall proceed pursuant to California Rules of Court, rule 29.3, as follows: SCE and the California Public Utilities Commission shall file and serve their opening briefs within 30 days of the filing of this order. The Utility Reform Network (TURN) shall file and serve its answer brief within 30 days after the filing of the opening brief. SCE and the California Public Utilities Commission shall file and serve any reply briefs within 20 days after the filing of the answer briefs. Any entity granted permission to file an amicus curiae brief shall file and serve its brief within 30 days after filing of the reply briefs. Any response to an amicus curiae brief shall be filed and served within 20 days after the filing of the amicus brief. All briefs shall be filed in the San Francisco office of the court, and all briefs

shall be hand-served on the other parties to this litigation. The court does not anticipate granting a any extension of time to any party or amicus curiae.

The motion by SCE for calendaring preference is granted. The court will expedite review of the matter and set it for oral argument as soon as possible after completion of the briefing.

Chin, J., was recused and did not participate.
Votes: George, CJ., Kennard, Baxter,
Werdegar, Brown and Moreno, JJ.

S110380

B149459 Second Appellate District,
Division Seven

PEOPLE v. TROTTER

Review granted/briefing deferred (rule 29.3)

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Hernandez (Manuel)*, S105271 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S110651

F039230 Fifth Appellate District

F. (DAVID), IN RE

Review granted/briefing deferred (rule 29.3)

Further action in this matter is deferred pending consideration and disposition of a related issue in *Robert L. v. Superior Court* S100359 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Votes: George, CJ., Kennard, Baxter,
Werdegar, Chin, Brown and Moreno, JJ.

S095743

A092451 First Appellate District,
Division Five

SITES et al. v. S.C. (ROSENBLEDT)

Dismissed as improvidently granted (rule 29.4 (c))

In light of the repeal and adoption of California Rules of Court, rules 62 through 64 on November 1, 2002, effective January 1, 2003, by the Judicial Council, review in this case is dismissed and the cause is remanded to the Court of Appeal, First Appellate District, Division Five. (Cal. Rules of Court, rule 29.4, subd. (c)).

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

S102633

D035450 Fourth Appellate District,
Division One

OPERATING ENGINEERS LOCAL 12 FUND v. PHILLIP MORRIS INC. et al.

Dismissed as improvidently granted (rule 29.4 (c))

and cause is remanded to the Court of Appeal, Fourth Appellate District, Division One.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

S109544

B158200 Second Appellate District,
Division One

KEEM (SUNNY BIG) ON H.C.

Petition for review denied

S109729

G029283 Fourth Appellate District,
Division Three

PARK TERRACE et al. v. TEASDALE et al.

Petition for review denied

S109758

B147804 Second Appellate District,
Division Seven

ROSEN et al. v. DAVIS & DRUM et al.

Petition for review denied

S109852

D039273 Fourth Appellate District,
Division One

PARDEE v. S.C. (RODRIGUEZ)

Petition for review & depublication requests denied

Baxter, Chin and Brown, JJ., are of the opinion the petition should be granted.

S109867

E032292 Fourth Appellate District,
Division Two

COUNTY OF RIVERSIDE et al. v. S.C.
(MADRIGAL)
Petition for review denied

S109891

A099137 First Appellate District,
Division Four

WOODMAN (PAUL) ON H.C.
Petition for review denied

S109926

A100065 First Appellate District,
Division Three

TARBETT v. S.C. (TARBETT)
Petition for review denied

S109970

D039771 Fourth Appellate District,
Division One

PEOPLE v. BAILEY
Petition for review denied

S110096

E030082 Fourth Appellate District,
Division Two

STALLINGS, MARRIAGE OF
Petition for review denied

S110138

B153334 Second Appellate District,
B156706 Division Three

PEOPLE v. QUINN and HARRIS et al. /
HARRIS ON H.C.
Petitions for review denied

S110142

A094872 First Appellate District,
Division Five

FRIENDS OF EAST WILLITS VALLEY et al. v.
COUNTY OF MENDOCINO (SHERWOOD
VALLEY RANCHERIA)
Petition for review denied

S110159

E030071 Fourth Appellate District,
Division Two

PEOPLE v. RAWLS
Petition for review denied

S110161

E026934 Fourth Appellate District,
Division Two

PEOPLE v. PAN et al.
Petitions for review denied

S110241

H021030 Sixth Appellate District

PEOPLE v. TAASE et al.
Petitions for review denied

S110254

A092690 First Appellate District,
Division Four

PEOPLE v. HARRISON
Petition for review denied

S110271

B150561 Second Appellate District,
Division Five

DOHERTY et al. v. REGEV et al.
Petition for review denied

Kennard, J., Werdegarr, J., and Moreno, J., are
of the opinion the petition should be granted.

S110281

Second Appellate District,
Division Four

PEOPLE v. NOUN et al.
Petitions for review denied.

S110299

F038702 Fifth Appellate District

PETERS v. BOYER
Petition for review denied

S110330

E032378 Fourth Appellate District,
Division Two

EDWARDS et al. v. S.C. (COUNTRY CLUB
VILLAS HOMEOWNERS ASSOC. et al.)
Petition for review denied

S110334

B149408 Second Appellate District,
Division Two

PEOPLE v. PEEBLES
Petition for review denied

S110335

C038627 Third Appellate District

PEOPLE (FISH & GAME) v. MURRISON
Petition for review denied

S110345

E032333 Fourth Appellate District,
Division Two

EDWARDS et al. v. S.C. (COUNTRY CLUB
VILLAS HOMEOWNERS ASSOC. et al.)
Petition for review denied

S110365

B158473 Second Appellate District,
Division Six

NAVARRO v. WCAB (A & A FARMING)
Petition for review denied

S110374

B150747 Second Appellate District,
B158618 Division One

PEOPLE v. WILLIAMS
Petition for review denied

S110379

F036556 Fifth Appellate District

PEOPLE v. GALAZ

Petition for review denied

Baxter, J., was recused and did not participate.

S110385D037868 Fourth Appellate District,
Division One

PEOPLE v. HICKEY

Petition for review & publication request denied

Kennard, J., is of the opinion the petition
should be granted.**S110422**A092794 First Appellate District,
Division Five

PEOPLE v. MUHAMMAD

Petition for review denied

S110426

H021807 Sixth Appellate District

PEOPLE v. RIVERA et al.

Petitions for review denied

S110442A090415 First Appellate District,
Division Three

PEOPLE v. BARNES

Petition for review denied

S110445B149283 Second Appellate District,
B156301 Division Three

PEOPLE v. BARRETT / BARRETT ON H.C.

Petition for review denied

S110449A094859 First Appellate District,
Division FourOAKLAND-ALAMEDA COUNTY COLISEUM v.
CC PARTNERS

Petition for review denied

Chin, J., is of the opinion the petition should
be granted.Werdegar, J., was recused and did not
participate.**S110452**

C039052 Third Appellate District

DOUGLAS MOUNTAIN LTD. v. ALLSTATE
INSURANCE COMPANY

Petition for review denied

Chin, J., was recused and did not participate.

S110455

C036877 Third Appellate District

PEOPLE v. SCHINKEL

Petition for review & publication request denied

S110475B155594 Second Appellate District,
Division Six

P. (CHRISTOPHER), IN RE

Petition for review denied

S110490

F037452 Fifth Appellate District

PEOPLE v. CRUZ

Petition for review denied

S110502A096009 First Appellate District,
Division OneHEARTLAND FINANCIAL CORP v. TURBODYNE
TECHNOLOGIES INC

Petition for review denied

S110545G025381 Fourth Appellate District,
Division Three

GARCIA et al. v. CITY OF FULLERTON et al.

Petition for review denied

S110546D038477 Fourth Appellate District,
Division One

PEOPLE v. WEST

Petition for review denied

S110562

F038878 Fifth Appellate District

PEOPLE v. LEWIS

Petition for review denied

S110566

C038788 Third Appellate District

PEOPLE v. BAIRD

Petition for review denied

S110567

H024499 Sixth Appellate District

PEOPLE v. LOPEZ

Petition for review denied

S110585

F039065 Fifth Appellate District

PEOPLE v. BOCANEGRA

Petition for review denied

Baxter, J., was recused and did not participate.
Kennard, J., is of the opinion the petition
should be granted.

S110614NICHOLS v. COURT OF APPEAL (PEOPLE)
Petition for writ of mandate/prohibition denied**S110620**B154546 Second Appellate District,
Division FourPEOPLE v. SMITH
Petition for review denied**S110622**A096933 First Appellate District,
Division TwoPEOPLE v. FORD
Petition for review denied**S110624**

F037242 Fifth Appellate District

PEOPLE v. RUSS
Petition for review denied**S110631**

F037765 Fifth Appellate District

REGAN v. SONORA UNION HIGH SCHOOL et al.
Petition for review denied**S110634**A098077 First Appellate District,
Division FiveCALLOWAY (JAMES W.) ON H.C.
Petition for review denied**S110638**B151025 Second Appellate District,
Division FivePEOPLE v. PERKINS
Petition for review denied**S110643**B150057 Second Appellate District,
Division FourPEOPLE v. BELT
Petition for review denied**S110644**

F039443 Fifth Appellate District

PEOPLE v. CHRISTMAN
Petition for review denied

Baxter, J., was recused and did not participate.

S110646

C037300 Third Appellate District

PEOPLE v. MEHAISIN
Petition for review denied

S110647

D036682 Fourth Appellate District,
Division One

PEOPLE v. DOUGLAS

Petition for review denied

S110653

E030475 Fourth Appellate District,
Division Two

PEOPLE v. RICHARDSON

Petition for review denied

S110656

B151636 Second Appellate District,
Division Four

PEOPLE v. ENRIQUES

Petition for review denied

S110657

A100266 First Appellate District,
Division Five

PRIMO SEGUNDO v. S.C. (REDDINGTON)

Petition for review denied

S110658

G026291 Fourth Appellate District,
Division Three

PEOPLE v. MONTEVERDE

Petition for review denied

S110659

H023193 Sixth Appellate District

PEOPLE v. OCHOA

Petition for review denied

S110660

B160761 Second Appellate District,
Division One

ETHERIDGE v. S.C. (PEOPLE)

Petition for review denied

S110661

F036680 Fifth Appellate District

PEOPLE v. GONZALEZ

Petition for review denied

Baxter, J., was recused and did not participate.

S110684

B155898 Second Appellate District,
Division Six

PEOPLE v. WELLWOOD

Petition for review denied

S110692

C039408 Third Appellate District

PETIET v. KIRKWOOD MOUNTAIN RESORT

Petition for review denied

S110696

A100276 First Appellate District,
Division One

JOHNSON (SAM) ON H.C.
Petition for review denied

S110697

B152532 Second Appellate District,
Division Six

PEOPLE v. BENITEZ
Petition for review denied

S110699

E030833 Fourth Appellate District,
Division Two

PEOPLE v. RABADI
Petition for review denied

S110700

B155457 Second Appellate District,
Division Five

PEOPLE v. BROWN
Petition for review denied

S110703

E030163 Fourth Appellate District,
Division Two

PEOPLE v. WELCH
Petition for review denied

S110706

B149973 Second Appellate District,
Division Seven

PEOPLE v. CERECEDES
Petition for review denied

S110707

B154631 Second Appellate District,
Division Seven

NOURMAND v. CITY OF LOS ANGELES
Petition for review denied

S110713

B160185 Second Appellate District,
Division One

COUNTY OF LOS ANGELES v. WCAB,
MALAST et al.
Petition for review denied

S110714

B151018 Second Appellate District,
Division Eight

PEOPLE v. NORWOOD
Petition for review denied

S110716

D038794 Fourth Appellate District,
Division One

SAN DIEGO TROLLEY INC. v. S.C. (KINDER)
Petition for review denied

S110722

B154755 Second Appellate District,
Division One

PEOPLE v. JONES

Petition for review denied

S110725

E032451 Fourth Appellate District,
Division Two

JIMENEZ-ENRIQUEZ v. SC (PEOPLE)

Petition for review denied

S110727

B146998 Second Appellate District,
Division One

DAMAA v. MERCEDES-BENZ USA LLC

Petition for review denied

S110730

B161717 Second Appellate District,
Division Four

WELLS v. S.C. (DAILEY)

Petition for review denied

S110732

B152428 Second Appellate District,
Division Five

PEOPLE v. MOORE

Petition for review denied

S110735

B156413 Second Appellate District,
Division Two

PEOPLE v. VALERIO

Petition for review denied

S110758

B157194 Second Appellate District,
Division Two

PEOPLE v. RUIZ

Petition for review denied

S110759

B152886 Second Appellate District,
Division Seven

PEOPLE v. HARO

Petition for review denied

S110762

B161265 Second Appellate District,
Division Five

ALL TEMPERATURE CONTROLLED INC. v. S.C.
(STATE COMP. INS. FUND)

Petition for review denied

S110882

A093099 First Appellate District,
Division One

PEOPLE v. MORRIS

Petition for review denied

S111115

SHANNON v. COURT OF APPEAL (PEOPLE)
Petition for writ of mandate/prohibition denied

S111317

C042418 Third Appellate District

ROWELL (RONALD PAUL) ON H.C.
Petition for review and application for stay denied

S099205

SAIFULLAH (KHALIFAH E.D.) ON H.C.
Petition for writ of habeas corpus denied

Brown, J., was recused and did not participate.

S103697

OYENIRAN (DANIEL S.) ON H.C.
Petition for writ of habeas corpus denied

S104205

MENDOZA (SIRDRONIO) ON H.C..
Petition for writ of habeas corpus denied with
citation(s)

S105172

SANDERS (RENE) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S105173

STILLS (FREDERICK) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S105525

QAWI (KANURI SURGURY) ON H. C.
Petition for writ of habeas corpus denied

S105737

USHER (WILLIAM D.) ON H.C.
Petition for writ of habeas corpus denied

S105791

BOWLING (DENNIS) ON H.C.
Petition for writ of habeas corpus denied

Brown, J., was recused and did not participate.

S106100	MAXWELL (TRACY LEVI) ON H.C. Petition for writ of habeas corpus denied
S106400	WELTERS (CHRISTOPHER) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S106585	GOUR (TERRY) ON H.C. Petition for writ of habeas corpus denied
S106592	GODINES (OMAR B.) ON H.C. Petition for writ of habeas corpus denied
S106721	QUARLES (ALVIN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S106749	LESTER (GERALD) ON H.C. Petition for writ of habeas corpus denied
S106759	MANLEY (NABIL IBN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S106813	IRIBE (VICTOR) ON H.C. Petition for writ of habeas corpus denied
S106842	CONRIQUEZ (ROBERT T.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S106863	CIDA (ADRIAN) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S106867	MCELROY (MARVIN) ON H.C. Petition for writ of habeas corpus denied with citation(s)

S107123

MCQUILLION (CARL) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S107276

CHAPMAN (JAMES L.) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S107287

MURILLO (RAMON ABEL) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S107378

MCQUILLION (CARL D.) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

Brown, J., was recused and did not participate.

S107389

BAKER (EBON C.) ON H.C.
Petition for writ of habeas corpus denied

S107416

LASTER (THOMAS) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S107451

AGUERRO (FREDDIE R.) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S107627

GUIZAR (ALBERTO) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S107716

JOHNSON (TOMMY) ON H.C.
Petition for writ of habeas corpus denied

S107748

JOHNSON (ANDRE) ON H.C.
Petition for writ of habeas corpus denied

S107752	ROBLES (RICHARD) ON H.C. Petition for writ of habeas corpus denied
S107758	MORGAN (FREDERICK LEE) ON H.C. Petition for writ of habeas corpus denied
S107804	NELSON (FLOYD H.) ON H.C. Petition for writ of habeas corpus denied
S107838	GARDNER (EARL TRAVIS) ON H.C. Petition for writ of habeas corpus denied
S107839	MCCRAY (MARK EDWARD) ON H.C. Petition for writ of habeas corpus denied
S107881	HUSZAR (SHAWN MICHAEL) ON H.C. Petition for writ of habeas corpus denied
S108025	CARDOZA (STEPHEN C.) ON H.C. Petition for writ of habeas corpus denied
S108091	WEST (RONALD E.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108096	LLORENS (WILLIAM KENT) ON H.C. Petition for writ of habeas corpus denied
S108230	MILLION (CHARLIE LEE) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108268	DEHAVEN (LEROY R.) ON H.C. Petition for writ of habeas corpus denied with citation(s)

Brown, J., was recused and did not participate.

S108284	FRANCO (ROBERTO A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108285	SCHMIDT (STEVEN LAWRENCE) ON H.C. Petition for writ of habeas corpus denied
S108294	ALLEN (ROBERT) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108299	SENATOR (BRUCE R.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108302	PORTEE (DAVID) ON H. C. Petition for writ of habeas corpus denied with citation(s)
S108369	KING (JOHN H.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
S108375	CASTILLO (JULIO R.) ON H.C. Petition for writ of habeas corpus denied
S108380	VERNON (DEREK D.) ON H.C. Petition for writ of habeas corpus denied
S108443	CUEVAS (RICHARD ALLEN) ON H.C. Petition for writ of habeas corpus denied
S109625	SENATOR (BRUCE) ON H.C. Petition for writ of habeas corpus denied
S109626	SENATOR (BRUCE) ON H.C. Petition for writ of habeas corpus denied

S109644

SENATOR (BRUCE) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S109710

CUEVAS (RICHARD ALLEN) ON H.C.
Petition for writ of habeas corpus denied

S109741

WASHINGTON (RODERICK) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S109822

SENATOR (BRUCE) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S110606

CURRY (RODNEY) ON H.C.
Petition for writ of habeas corpus denied

S110788

SENATOR (BRUCE) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111003

HUBBS (NORMAN) ON H.C.
Petition for writ of habeas corpus denied with
citation(s)

S111027

GARCIA (XAVIER) ON H.C.
Petition for writ of habeas corpus denied

S107595

D035947 Fourth Appellate District,
Division One

SMITH v. SAN DIEGUITO UNION HIGH SCHOOL
Publication request denied (case closed)

S107609

A094258 First Appellate District,
Division One

EAST (JOHN), ESTATE OF
Publication request denied (case closed)

S108442

A095371 First Appellate District,
Division Three

WASTE MANAGEMENT OF ALAMEDA
COUNTY v. CITY OF FREMONT et al.
Publication request denied (case closed)

S108673

F037812 Fifth Appellate District

CALIFORNIA TEACHERS ASSN et al.. v.
GOLDEN
VALLEY UNIFIED SCHOOL DIST.
Publication request denied (case closed)

S109026

G029476 Fourth Appellate District,
Division Three

MARETZKI et al. v. HENGSTLER
Publication request denied (case closed)

S109101

E028760 Fourth Appellate District,
Division Two

REID v. FONTANA UNIFIED SCHOOL DISTRICT
Publication request denied (case closed)

S109429

B150518 Second Appellate District,
Division Two

ASH v. URBAN
Publication request denied (case closed)

S110296

A096928 First Appellate District,
Division Four

DEPARTMENT OF ALCOHOLIC BEVERAGE
CONTROL v. ALCOHOLIC BEV. CONTROL
APPEALS BOARD (DELEUZE et al.)
Depublication request denied (case closed)

S110573

F037568 Fifth Appellate District

FRESNO v. GUNTHER
Publication request denied (case closed)

S110971

A096018 First Appellate District,
Division Three

MOUNT DIABLO v. HEALTH NET
Depublication request denied (case closed)

S110175

A093331 First Appellate District,
Division Two

DARY v. GILBERT
Time extended to grant or deny review

to and including January 2, 2003.

S110301

A092876 First Appellate District,
A093705 Division One

DONALDSON v. NATIONAL MARINE
Time extended to grant or deny review

to and including December 27, 2002.

S110383

B149093 Second Appellate District,
Division Four

WHITESIDE v. TENET HEALTHCARE
Time extended to grant or deny review

to and including January 2, 2003.

S110431

G030950 Fourth Appellate District,
Division Three

BROWN GROUP RETAIL v. S.C. (FIEZ et al.)
Time extended to grant or deny review

to and including January 3, 2003.

S110472

E029558 Fourth Appellate District,
Division Two

Y. (JOHN) v. CHAPARRAL TREATMENT
Time extended to grant or deny review

To and including January 3, 2003.

S110511

B158675 Second Appellate District,
Division Five

ROSENBLUTH INTERNATIONAL, INC. v.
S.C. (SERRANO)
Time extended to grant or deny review

to and including January 6, 2003.

S110604

B160261 Second Appellate District,
Division Three

TRANS WORLD AIRLINES v. WCAB (HILL)
Time extended to grant or deny review

to and including January 9, 2003.

S108309

B142943 Second Appellate District,
Division Seven

PEOPLE v. SMITH et al.
Extensions of time granted

to and including December 20, 2002 to serve
and file appellant **Obed Gonzalez'** brief on
the merits. No further extensions of time will
be granted.

to and including December 20, 2002 to serve
and file appellant **Waymond Thomas'** brief
on the merits. No further extensions of time
will be granted.

S108751

B121021 Second Appellate District,
Division Four

WINTER v. DC COMICS

Extension of time granted

Appellant's time to serve and file the respondent's brief is extended to and including January 13, 2003. No further extensions of time are contemplated.

S110025

D039601 Fourth Appellate District,
D039633 Division One

PANTHER v. PARK

Extension of time granted

to December 2, 2002 to file respondents' (William K. Park and Canam Properties) opening brief on the merits.

S032832**PEOPLE v. MARTINEZ (OMAR F.)**

Order filed

Good cause appearing, in light of the authorization granted to appellant to file supplemental briefing in the above automatic appeal now pending in this court, a petition for writ of habeas corpus submitted on appellant's behalf will be presumed to be filed without substantial delay if it is filed by December 17, 2002. (See Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std. 1-4 [standard adopted eff. Nov. 20, 2002].)

S045504**PEOPLE v. PANAH (HOOMAN A.)**

Order filed

On the court's own motion, the clerk is directed to unseal the original of the following portions of the reporter's transcript herein: the reporter's transcript of the in-camera hearing held on February 25, 1994 contained in volume 2A of the reporter's transcript, as well as the following pages of the reporter's transcript: pp. 1004-1044 (vol. 13, 11/21/94), pp. 1272-1283 (vol. 15, 11/30/94), pp. 1408-1431 (vol. 16, 12/1/94), and pp. 1452-1462 (vol. 17, 12/5/94).

S102249

A093139 First Appellate District,
Division One

GARDNER v. COUNTY OF SONOMA
Order filed

Respondent's request for judicial notice, filed
May 8, 2002, is granted.

S090057

SUSPENSION OF ATTORNEYS PURSUANT TO
RULE 962 CALIFORNIA RULES OF COURT
Order filed

The suspension of **RICHARD ALLAN
RUBEN** pursuant to our order filed on
October 22, 2002, is hereby terminated. This
order is final forthwith.

S107298

KING ON DISCIPLINE
Order filed

Having been notified by the State Bar that
ROY RAY KING, State Bar No. 61726, was
deceased as of March 13, 2002, the
disciplinary order filed on August 20, 2002, is
VACATED nunc pro tunc.

S108829

SUSPENSION OF ATTORNEYS FOR
NONPAYMENT OF DUES – 2002
Order filed

Due to clerical error on the part of the State
Bar of California, it is ordered that the order
of suspension for nonpayment of dues filed on
August 16, 2002, effective September 4, 2002,
be amended nunc pro tunc to strike the names
of:

**James Lloyd Gilkinson III
Jeanette Goldsmith
William Selvig**

S097368

HOROWITZ ON DISCIPLINE
Probation modified

Good cause having been shown, it is hereby
ordered that probation is revoked, the
previously ordered stay of execution of
suspension in the above entitled matter is

lifted, and **EDWARD HOLLAND HOROWITZ, State Bar No. 135566**, shall be actually suspended from the practice of law for one year. Credit toward the period of actual suspension shall be given for the period of involuntary inactive enrollment which commenced on July 28, 2002 (Business & Professions Code section 6007(d)(3)).

Edward Holland Horowitz is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S097393

EDWARDS ON DISCIPLINE

Recommended discipline imposed

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and **JOHN HENRY EDWARDS, III, State Bar No. 52343**, shall be actually suspended from the practice of law for one year. Respondent's probation is reinstated on the same terms and conditions as previously imposed in SO97397 (State Bar Court case nos. 00-O-10661; 01-O-00483). It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S109788

BURCHARD ON DISCIPLINE
Recommended discipline imposed

It is ordered that **DENNIS DETMER BURCHARD, State Bar No. 132947**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for five years subject to the conditions of probation, including nine months actual suspension and restitution, recommended by the Hearing Department of the State Bar Court in its decision filed on May 22, 2002, as modified by its order filed July 8, 2002. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

S109859

BROWN-SIMMONS ON DISCIPLINE
Recommended discipline imposed

It is ordered that **BARBARA BROWN-SIMMONS, State Bar No. 107565**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 16, 2002. It is further ordered that she comply with rule 955 of the California Rules of Court, and that she perform the acts specified in subdivisions

(a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for years 2003, 2004 and 2005. (Bus. & Prof. Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S109860

AHERONI ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **ELLIOTT LEONARD AHERONI, State Bar No. 47377**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S109863

PRINCE ON DISCIPLINE

Recommended discipline imposed

It is ordered that **PHILIP MICHAEL PRINCE, State Bar No. 119111**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on July 3, 2002. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S109988

BEHRENS ON DISCIPLINE

Recommended discipline imposed

It is ordered that **RICHARD J. BEHRENS, State Bar No. 79764**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for six months and until Respondent makes restitution to Nitzan Talor (or the Client Security Fund, if it has already paid) in the amount of \$750, plus 10% interest per annum, accruing from December 29, 1999; to Juan Barrera (or the Client Security Fund, if it has already paid) in the amount of \$600, plus 10% interest per annum, accruing from October 3, 2000, and provides satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel; and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California as recommended by the Hearing Department of the State Bar Court in its decision filed on April 30, 2002, as modified by its order filed on July 10, 2002. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year of the effective date of the discipline herein or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that respondent perform the acts specified in subdivisions (a) and (c) of that

rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S111034

PRESTON ON RESIGNATION

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of **ELEANOR LEON GUERRERO PRESTON, State Bar No. 129138**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should she hereafter seek reinstatement. It is ordered that she comply with rule 955 of the California Rules of Court and that she perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S111418

SULLIVAN ON RESIGNATION

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of **WILLIAM H. SULLIVAN, State Bar No. 26847**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S111507**FUDGE ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation of **REG FUDGE, JR., State Bar No. 85865**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

D040655 Fourth Appellate District,
Division One

SEMPRA ENERGY v. PUBLIC UTILITIES COMM.
Order filed

The above-entitled matter, now pending in the Court of Appeal, Fourth Appellate District, Division One, is transferred to the Court of Appeal, First Appellate District.

D040657 Fourth Appellate District,
Division One

SEMPRA ENERGY v. PUBLIC UTILITIES COMM.
Order filed

The above-entitled matter, now pending in the Court of Appeal, Fourth Appellate District, Division One, is transferred to the Court of Appeal, First Appellate District.

